

OGC 73-0075

16 January 1973

MEMORANDUM FOR:

STAT

SUBJECT:

Dissemination of PRENSA LATINA  
Material

REFERENCE:

Your memo to OGC,  
Same Subject

STAT

1. Referent memorandum requests the opinion of this office on the following questions:

a. Did a public statement by Premier Fidel Castro on 30 April 1967 to the effect that Cuba intended to disregard international copyright laws, such as the Universal Copyright Convention (UCC), constitute legal abrogation of such agreements by Cuba; and,

STAT

2. In response to the first question, it seems pertinent to discuss recent international copyright developments with regard to developing nations such as Cuba.

3. During the 1960's the emergence of newly developing nations with serious educational needs led to a crisis in the international copyright field as these countries sought to import foreign educational materials from developed nations on terms they could afford. Led by India, these developing countries pressed rigorously for reform of international copyright agreements which they viewed as an impediment to their cultural and educational advancement.

OGC Has Reviewed

4. In recent years, two international conferences have been held to consider the problem of access to copyrighted materials by developing nations.

5. The first conference took place in Stockholm in 1967 to consider revisions of the Berne Convention (1886), which is the other major international copyright agreement in addition to the Universal Copyright Convention (1955). The United States and Cuba are signatories to the UCC but are not parties to the Berne Convention and attended the 1967 conference in Stockholm as observers. At this conference a very liberal protocol was adopted providing developing nations with broad and practically uncontrolled access to educational and scientific materials copyrighted in Berne member states. This protocol, however, was considered unacceptable to the governments of most developed countries and never entered into force.

6. Developing countries then pressed for revision of the UCC; some of these countries threatened to renounce international copyright laws entirely if reform did not take place. In an effort to forestall this possibility, a second conference was held in Paris in 1971 to discuss revisions of the UCC. A compromise was reached at this conference and developing nations obtained reasonable concessions from developed nations, primarily in the area of use of copyrighted materials for educational and cultural purposes. The United States signed the revised agreement in 1971 and the Senate ratified the Agreement on 14 August 1972.

7. It seems, then, that Castro's remarks in 1967 were made in an atmosphere when international copyright laws were under intense review and criticism not only from Cuba, but from many other developing nations as well. It should also be noted that Castro was discussing educational works. Under the agreement reached in 1971, Cuba is now entitled to receive the special benefits provided for developing nations regarding use of copyrighted materials for educational purposes. This point was made clear during the Senate ratification hearings when Senator Fulbright asked a witness if Cuba would be a beneficiary under the proposed revisions of the UCC and he received an affirmative reply. (Hearings before the Senate Committee on Foreign Relations, Executive G, 92d Cong., 2d Sess. at p. 52 (1972)).


8. Under these circumstances, it is the opinion of this office that Castro's remarks in 1967 did not constitute legal abrogation by the Cuban Government of the provisions of the Universal Copyright Convention. Moreover, Cuba has not formally withdrawn from the Universal Copyright Convention, according to Mr. George D. Cary, Register of Copyrights. STAT



Assistant General Counsel

STAT

STAT

OGC   
Distribution:

1 - Orig - Subject - COPYRIGHT

1 -  Signer

1 - Chrono

STAT

STAT

Approved For Release 2002/09/05 : CIA-RDP75-00793R000100340010-1

Next 1 Page(s) In Document Exempt

Approved For Release 2002/09/05 : CIA-RDP75-00793R000100340010-1

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM  
UNCLASSIFIED CONFIDENTIAL SECRET

# OFFICIAL ROUTING SLIP

| TO | NAME AND ADDRESS | DATE | INITIALS |
|----|------------------|------|----------|
| 1  |                  |      |          |
| 2  |                  |      |          |
| 3  |                  |      |          |
| 4  |                  |      |          |
| 5  |                  |      |          |
| 6  |                  |      |          |

|             |              |                |
|-------------|--------------|----------------|
| ACTION      | DIRECT REPLY | PREPARE REPLY  |
| APPROVAL    | DISPATCH     | RECOMMENDATION |
| COMMENT     | FILE         | RETURN         |
| CONCURRENCE | INFORMATION  | SIGNATURE      |

## Remarks:

Attached is the memorandum we discussed Monday. I have also attached for your background information a copy of the Registration Statement PRENSA LATINA filed with the Department of Justice in 1962 and a copy of a memorandum which discusses the risk of liability of a suit for copyright infringement or unfair competition. Please note that in para. 6 of that memorandum in which we stated that the risk of liability is inconsequential.

FOLD HERE TO RETURN TO SENDER

|                                   |              |         |
|-----------------------------------|--------------|---------|
| FROM: NAME, ADDRESS AND PHONE NO. |              | DATE    |
| Assistant General Counsel 7D07 HQ |              | 1/16/73 |
| UNCLASSIFIED                      | CONFIDENTIAL | SECRET  |

FORM NO. 227 Use previous editions

(40)

NOTE ATTACHED TO OGC 73-0075

44-72-1752

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

# Memorandum

STAT

TO :  Office of  
General Council  
Central Intelligence Agency

DATE: 28 NOV 1972

95  
FROM : Justin J. O'Shea, Chief  
Registration Section

SUBJECT: PRENSA LATINA

In accordance with your telephone request of November 27, 1972 I am enclosing a copy of the Exhibit C filed in connection with the registration statement of Prensa Latina under the provisions of the Foreign Agents Registration Act. The statement and exhibit were filed on April 16, 1962.

Enclosure

STAT

Approved For Release 2002/09/05 : CIA-RDP75-00793R000100340010-1

Next 2 Page(s) In Document Exempt

Approved For Release 2002/09/05 : CIA-RDP75-00793R000100340010-1

FILED

APR 16 1952

Registration Section  
U.S. DEPT. OF JUSTICE

UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

EXHIBIT C

TO REGISTRATION STATEMENTS

REGISTRATION No. 1537

Under the Foreign Agents Registration Act of 1938, As Amended

Furnish this exhibit for each FOREIGN PRINCIPAL of the Registrant.

THIS EXHIBIT WILL NOT BE ACCEPTED FOR FILING UNLESS IT IS REASONABLY COMPLETE AND ACCURATE.

1. Name and address of Registrant. PRENSA LATINA, AGENCIA INFORMATIVA LATINOAMERICANA, SOCIEDAD ANONIMA (United States office) 580 Fifth Avenue, New York, N. Y.
2. (a) Name of Foreign Principal. PRENSA LATINA, AGENCIA INFORMATIVA LATINOAMERICANA, SOCIEDAD ANONIMA

(b) Principal address of Foreign Principal.

Edif. Seguro Medico  
23rd Street, No. 201  
Havana, Cuba

3. If the Foreign Principal is a foreign government, state the following:

Branch or agency thereof represented  
by Registrant

Name and title of official with  
whom Registrant deals

Not applicable

4. If the Foreign Principal is an individual (natural person), state -

(a) All present business and residence addresses not given under item 2(b).

(b) Citizenship or nationality:

(c) If an officer, employee, or agent of a foreign government, foreign political party, or any official or agency thereof, state -

Name of such government,  
political party, official, or  
agency

Nature of Foreign Principal's  
office, employment, or  
agency

Nature of any subsidy  
or other financial  
arrangement

Not applicable

5. If the Foreign Principal is not an individual (natural person) or a foreign government, state the following:

(a) Type of Foreign Principal's organization.

Committee \_\_\_\_\_ Voluntary group \_\_\_\_\_ Association \_\_\_\_\_

Partnership \_\_\_\_\_ Corporation X Foreign Political Party \_\_\_\_\_

Other (specify) \_\_\_\_\_

(b) Date and place of organization.

April 16, 1959 in Havana, Cuba



- (c) All partners, officers, directors, and similar officials of the Foreign Principal.

*Name and address of official*

*Position, office or nature of duties*

See Appendix VI, annexed hereto

- (d) List, if any, all of the Foreign Principal's branches and local units and other component or affiliated groups or organizations in the United States and elsewhere.

*Name and address of branch, unit  
group, or organization*

*Nature of connection with foreign  
principal*

See Appendix VII, annexed hereto

- (e) Branch or group, if any, represented by Registrant.

### United States office

6. If the Foreign Principal is not a foreign government but is supervised, directed, or controlled by a foreign government, foreign political party, or an official or agency thereof, or by any other person or persons, state -

*Name of such government, political  
party, or other persons*

*Nature and extent of supervision,  
direction or control*

Registrant is informed and believes that this item is not applicable

7. If the Foreign Principal is not a foreign government but is financed or subsidized in any way by a foreign government, foreign political party, or an official or agency thereof, or by any other person or persons, state -

*Name of such government, political  
party, or other persons*

*Nature and extent of such financing  
or subsidization*

Registrant is informed and believes that Foreign Principal receives the sum of \$125,000 (Cuban) monthly from Radio Difusora Nacional, an agency of or under the supervision of a ministry of the government of the Republic of Cuba, on statements rendered for services furnished by the Foreign Principal to that agency.

8. If the Foreign Principal is not a foreign government, state nature of all its businesses, occupations or functions:

The receipt, transmission and broadcasting, recording and printing of news, ideas, information, national and international reports and comments, through the media of press, radio, television, etc.

APR 16 1962

Registration Section  
U.S. DEPT. OF JUSTICE

APPENDIX VII (Exhibit C, Item 5(d))

Registrant is informed and believes that all of the Foreign Principal's branch offices (together with names of the employees in charge) are, as follows:

Sr. Aroldo Wall  
Ave. Almirante Barrosco No. 91  
Salas 502-503  
Rio de Janeiro  
BRASIL.

Ventura Ramos  
5ta. Ave. 11va. Calle  
Comayaguela, Tegucigalpa  
HONDURAS.

Amado Canelas Orellana  
Bellavista No. 248  
Casilla 2626  
La Paz  
BOLIVIA.

Edmundo Jardon Arzate  
Atenas No. 40, 2do. piso  
MEXICO 6, D. F.  
MEXICO.

Efrain Rodriguez V.  
Calle 3ra. entre Aves. 8-10 No. 856  
San Jose  
COSTA RICA.

Jaime Padilla Beliz  
Ave. Peru No. 32-20  
Oficina 2  
Panama  
Rep. de PANAMA.

Hugo Latorre Cabal  
Calle 86 No. 11-67  
Bogota D.E.  
COLOMBIA.

Alfredo Munoz Unsain  
Calle 18 de Junio No. 1277  
Montevideo  
URUGUAY.

Jose Leoncio Fernandez  
Petrsk Namesti 1  
Praha 1, C.S.R.  
CHECOSLOVAQUIA.

Carlos Jorquera Tolosa  
Union Central No. 1010  
Oficina 1114  
Santiago de Chile  
CHILE.

Carlos Padilla Perez  
Calle Bolivar No. 268  
esquina a Venezuela  
Quito  
ECUADOR.

Francisco V. Portela  
580 Fifth Ave., Apartment 903  
New York 36, N. Y.  
UNITED STATES.

Sr. Alberto Perez  
88 Farrington St. 3rd floor  
London E.C. 4  
ENGLAND.

FILED

APR 16 1962  
Registration Section  
U.S. DEPT. OF JUSTICE

APPENDIX VI (Exhibit C, Item 5(c))

Registrant is informed and believes that the officers, directors and similar persons of the Foreign Office are, as follows:

|                      |  |  |
|----------------------|--|--|
| Fernando F. Revuelta | Office Address:<br>Edif. Seguro Medico<br>23rd Street, No. 201<br>Havana, Cuba | Director General -<br>Executive Head and<br>Chief Operating<br>Officer of the<br>Foreign Principal |
|----------------------|--|--|

Residence address:  
Focsa Building  
M & 17th Streets  
Vedado  
Havana, Cuba

|                             |                 |                 |
|-----------------------------|-----------------|-----------------|
| Francisco Martinez Morell   | Address unknown | President       |
| Dra. Nelida Rodriguez Perez | " "             | Secretary       |
| Alberto Perdomo             | " "             | Treasurer       |
| Everardo Navas              | " "             | General Manager |

Approved For Release 2002/09/05 : CIA-RDP75-00793R000100340010-1

STAT

Approved For Release 2002/09/05 : CIA-RDP75-00793R000100340010-1